

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



November 2, 2000

Regulation Package #0300-04

CDSS MANUAL LETTER NO. CWS-00-02

TO: HOLDERS OF THE CHILD WELFARE SERVICES MANUAL, DIVISION 31

Regulation Package #0300-04**Effective 7/1/00****Section 31-201**

Senate Bill (SB) 1901 (Chapter 1055, Statutes of 1998) as modified by Assembly Bill (AB) 1111 (Chapter 147, Statutes of 1999), created the Kinship Guardianship Assistance Payment (Kin-GAP) Program. The Kin-GAP Program will serve those children exiting the foster care system to enter a guardianship with a relative; the majority of children will have been receiving either federal Aid to Families with Dependent Children-Foster Care (AFDC-FC) or California Work Opportunity and Responsibility to Kids (CalWORKs) benefits prior to entering the Kin-GAP Program. The Kin-GAP Program is funded with Temporary Assistance to Needy Families (TANF), State, and county funds. Accordingly, the basic eligibility for the program is based on the TANF/CalWORKs Program with some minor modifications either expressly stated in statute or permitted pursuant to Welfare and Institutions Code Section 11372. These regulations will address eligibility criteria for the program.

These regulations were adopted on an emergency basis and were considered at the Department's public hearing held on July 19, 2000.

FILING INSTRUCTIONS

Revisions to all manuals are shown in graphic screen. The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Child Welfare Services manual changes was CWS-00-01.

Page(s)Replace(s)

68 through 69

Pages 68 through 69

Attachment

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(Continued)

1. If the case review is to address a potential relative adoption, it shall address whether a kinship adoption is in the child's best interest.
 2. When a case is referred for adoption planning, it shall remain under county supervision for purposes of providing child welfare services until dismissal of the dependency and issuance of a final decree of adoption.
- (B) Guardianship - If kinship adoption or adoption is not possible, the case shall be reviewed for guardianship. Preference shall be given to guardianships by relatives.

HANDBOOK BEGINS HERE

1. Welfare and Institutions Code Section 361.3 specifies that all relative caregivers must be assessed by a specific set of criteria that includes safety of the home, character of the relative, and ability to provide permanency for the child, among other elements. This assessment provides the foundation for determining whether or not guardianship with the relative is appropriate and in the child's best interest.
2. To provide assistance in meeting the assessment criteria in Welfare and Institutions Code Section 361.3, CDSS issued guidelines to counties on March 1, 1999 pursuant to Welfare and Institutions Code Section 16501.1(i). Those guidelines were distributed to the counties via All County Information Notice I-18-99.

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- (C) Long term foster care - Only if adoption or guardianship is not possible, a recommendation for long-term foster care placement shall be made. Exercise of this option requires continued efforts to obtain adoption, guardianship or preparation for independence for the child.
- .13 Develop the case plan which shall identify the following factors and document the plan as specified in Section 31-205:
 - .131 Objectives to be achieved.
 - .132 Specific services to be provided.
 - .133 Case management activities to be performed.
 - (a) Parent(s)/guardian(s) shall be requested to participate in the development of the case plan.
 - (b) Parents shall be advised that, at any time during the child's dependency, they may request adoption counseling and services.

NOTE: Authority Cited: Sections 10553, 10554, and 11369, Welfare and Institutions Code. Reference: Sections 358.1(e) and 361 (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), 361.5, 366.23, 16501, 16501.1 (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), 16501.1(f), 16506, 16507, and 16508, Welfare and Institutions Code; Sections 8714.5 and 8714.7 (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), Family Code.

31-205	ASSESSMENT DOCUMENTATION	31-205
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.1 The social worker shall document the following assessment information:

- (a) The relevant social, cultural, and physical factors relating to the following:
 - (1) The child.
 - (2) The child's parent(s)/guardian(s) or person(s) serving in that role.
 - (3) Other significant persons, including children and siblings, who are known to reside in the home.
- (b) The apparent problems, and possible causes of those problems, which require intervention and the family strengths which could aid in problem resolution.
- (c) Whether the child may safely remain at home if preplacement preventive services are provided, and, if so, the specific services to be provided.
- (d) If the child is a parent, any special needs of the child with regard to his/her role as a parent.
- (e) If the child has been removed based on one of the findings pursuant to Welfare and Institutions Code Section 361.5(b), the circumstances relating to the finding and whether failure to order family reunification services would likely be detrimental to the child.
- (f) Any known social services previously offered and/or delivered to the child or family and the result of those services.
- (g) If family reunification services are recommended, relatives or others who could provide or assist with legal permanency - adoption, guardianship, or preparation for independence - should family reunification fail.
- (h) The need, if known, for any health/medical care.
- (i) The condition(s) which are met that allow a child under the age of six to be placed in a group home in accordance with Section 31-405.1(b).
- (j) The condition(s) which is met that allows a child to be placed in a community treatment facility in accordance with Section 31-406.